

# Constitution of the PR Swagistan

the.god.emperor

August 20s<sup>th</sup>, 2023

# Contents

<b>I</b>	<b>Basic</b>	<b>3</b>
§1	Bond of allegiance . . . . .	3
§2	Supreme Soviet . . . . .	3
§3	Armed Forces of the People’s Republic of Swagistan . . . . .	3
§4	Armed Forces Command . . . . .	3
§5	Arrangements . . . . .	4
§6	Awards . . . . .	4
<b>II</b>	<b>Discord-Server</b>	<b>4</b>
§7	Behaviour in the chat . . . . .	4
§8	Team members . . . . .	5
§9	Behaviour in the voice chat . . . . .	5
§10	Validity . . . . .	5
§11	Second Accounts . . . . .	6
§12	Sentence . . . . .	6
§13	Holder . . . . .	7
§14	Chairmanship . . . . .	7
§15	Departments . . . . .	8
§16	Department of Organization . . . . .	8
§17	Ministry of Justice . . . . .	8
§18	Ministry of Defence . . . . .	9
§19	Ministry of War . . . . .	9
§20	KGB . . . . .	10
§21	Ministry of Foreign Affairs . . . . .	10
§22	Ministry of Mining and Ore Gathering . . . . .	10
§23	Ministry of Agriculture and Food Procurement . . . . .	10
§24	Ministry of Exploration and Loot Procurement . . . . .	11
§25	Ministry of Infrastructure and Construction . . . . .	11
§26	Ministry of Commerce and Villagers . . . . .	11
§27	Ministry of Finances . . . . .	11
§28	Ministry of Technology . . . . .	11
§29	Diplomatic Guard . . . . .	11
<b>III</b>	<b>Minecraft-Server</b>	<b>12</b>
§30	Application . . . . .	12
§31	Guarantee . . . . .	12
§32	Legal separation . . . . .	12
§33	Basic rules . . . . .	12
§34	Factions . . . . .	13
§35	Specific server law . . . . .	13

Due to the incompatibility of German law terms with English, ‘§’ has to be read as ‘act’ in the following.

## **I Basic**

### **§1 Bond of allegiance**

- (1) Every citizen must at all times and at all costs protect the dignity and heritage of the PR of Swagistan.
- (2) Anyone who turns his back on the nation, whether by giving unauthorised support to an enemy, defecting to it, or leaving and then founding a new nation without the permission of the People’s Republic, will be blacklisted.
- (3) Any person on the blacklist must be prosecuted and hunted down without exception.
- (4) Traitors to the People’s Republic should never be forgiven even when showing remorse.

### **§2 Supreme Soviet**

- (1) Government decisions are decided by the Supreme Soviet.
- (2) The Chairman of the Supreme Soviet is Comrade General Secretary *jaap\_stam*.
- (3) Other voting members of the Supreme Soviet are the head of the KGB Comrade *robertogmor* and the Marshal of Swagistan Comrade *the.god.emperor*.
- (4) The heads of departments are also members of the Supreme Soviet, but are not entitled to vote.
- (5) In the event of a tie, the General Secretary has a second vote.

### **§3 Armed Forces of the People’s Republic of Swagistan**

- (1) The armed forces of the People’s Republic of Swagistan are responsible for the protection and enforcement of the authority of the People’s Republic.
- (2) There shall be universal conscription.
- (3) The armed forces are headed by the ‘Armed Forces Command’.

### **§4 Armed Forces Command**

- (1) The Armed Forces Command is presided over by the Marshal of Swagistan.
- (2) The Armed Forces Command is responsible for the organisation of the army and its operations.
- (3) It is superordinate to the Ministry of Defence and the Ministry of War.

## §5 Arrangements

- (1) The army is structured according to the following hierarchy:
  - (1) The **Marshal of Swagistan** is the Commander-in-Chief of the Army and heads the Armed Forces Command.
  - (2) The **Generals of the Divisional Forces** are the commanders of the two Divisional Forces (Attack Forces and Defence Forces).
  - (3) The **Colonel-General** is the deputy of a general of a branch of the armed forces.
  - (4) The **Colonel** is the commander of troops.
  - (5) The **major** is the deputy of the colonel.
  - (6) The **lieutenant** is a prospective officer.
  - (7) The sergeant is an experienced troop member.
  - (8) **NCO**
  - (9) **Corporal**

## §6 Awards

- (1) The Supreme Soviet may confer awards on persons upon nomination.
- (2) The awards, their levels and their requirements shall be specified in the Awards Register.

# II Discord-Server

## §7 Behaviour in the chat

- (1) <sup>1</sup>Spam, insults, threats and provocations against other players are forbidden and will lead to sanctions. <sup>2</sup>Spamming is the sending of several messages in a short time interval. Sending five or more messages in a short period of time can have consequences. <sup>3</sup>The unauthorised use of pings is also prohibited due to its provocative nature.
- (2) <sup>1</sup>Racist, political, ethically unacceptable content (statements, pictures, etc.) are forbidden and will result in permanent exclusion from the entire Discord server. <sup>2</sup>This also applies to pornographic content. <sup>3</sup>This also applies to the deliberate arrangement of reactions to such statements.
- (3) Text channels explicitly created for pornographic purposes are excluded from paragraph 2 sentence 2.
- (4) *discontinued*
- (5) Furthermore, channels may only be used for the purpose for which they are intended. If there are any uncertainties about the intended use, one must contact the support (§20) before writing a message.

## §8 Team members

- (1) Instructions from commanding team members are binding and must always be followed.
- (2) Team members are identified by a rank or role.
- (3) Commanding team members include:
  - (a) The General Secretary
  - (b) The President of the Supreme Court
  - (c) The Head of the KGB
  - (d) The Head of Organization
  - (e) The KGB agents
  - (f) The Ministers
- (4) The hierarchy mentioned in paragraph 3 is sorted by the rank's authority.
- (5) The commanding members may only give orders within their area of responsibility.

## §9 Behaviour in the voice chat

- (1) Apart from the regulations from §7, the following additional regulations apply to voice channels.
- (2) The use of voice distorters and soundboards is permitted, provided the team members do not object.
- (3) It is not permitted to record persons without their consent.

## §10 Validity

- (1) By joining this server, you accept the rules set forth herein.
- (2) The server administration reserves the right to change these rules at any time.
- (3) *discontinued*
- (4) The rules only come into force as soon as they are published in the rules text channel. Accordingly, no rule shall apply retroactively.
- (5) Lacking or faulty knowledge of the server regulations does not grant legal immunity, as informing oneself about the current legal situation of the server is obligatory.
- (6) Likewise, in case of ambiguity, one must contact the person in charge.
- (7) If one of the provisions violates the constitution of the country of a person concerned, only the illegal passage is repealed for that person<sup>1</sup>.

---

<sup>1</sup>salvatory clause

## §11 Second Accounts

You have to mark secondary accounts as such. To do this, you have to edit your server profile in such a way that it is possible for everyone to see whose secondary account it is on the basis of this profile.

## §12 Sentence

- (1) A distinction is generally made between three penalties:
  - (1) A warning is a preliminary stage to actual punitive measures. Each member receives a warning for minor offences.
  - (2) A timeout refers to a temporary exclusion from the server.
  - (3) A permanent ban is an irrevocable, indefinite exclusion from the server.
- (2) The penalty is rarely assessed according to the severity of the offence, but mostly according to the following:
  1. First warning
  2. Second warning
  3. 24-hour timeout
  4. One-week timeout
  5. Onemonth timeout
  6. 1-year timeout
  7. Permanent ban
- (3) Any penalty must be revoked without exception if the punished person can prove the illegality of the penalty.
- (4) Unlawfulness exists if the act in question is not an offence on the part of the punished person, if paragraphs 1 and 2 were violated in the punishment or if the act was wrongly classified as an offence of particular gravity.
- (5) If the offence is a serious offence, an immediate timeout up to an immediate permanent ban may be imposed depending on the seriousness of the offence. The assessment of the severity is subject to the responsible person, but must be comprehensible.
- (6) If there is any doubt, the judgement may be overturned by the President of the Supreme Court or by a qualified majority vote of the Board and reversed or converted to another penalty.
- (7) Any unlawful messages must be stored temporarily in the form of a screenshot until the beginning of the week after next, so that in case of doubt the unlawfulness can be challenged <sup>2</sup>, after which one can apply to the Board for a deletion, which however must be confirmed by a qualified majority.

---

<sup>2</sup>This is due to past difficulties in assessing the unlawfulness of statements in retrospect

- (8) After each timeout, the severity of the offence increases in such a way that the first offence after a timeout according to the penalty hierarchy from paragraph 2 number 1-7 is increased due to its severity in relation to the previous basic penalty <sup>3</sup>.
- (9) Permanent bans are partly excluded from paragraph 8. These shall only be imposed in cases of extreme severity or where paragraph 8 applies, unless there is an acute improvement in behaviour and the Board votes in favour by a simple majority.
- (10) It is not permitted to unban people from the server contrary to the express permission of the President of the Supreme Court. This is considered a punishable offence and will be punished with a timeout regardless of the position in the punishment hierarchy as interpreted in accordance with paragraph 8. The unlawfully unbanned person shall also be banned immediately.
- (11) <sup>1</sup>Infractions of particular severity by members of a division will result in permanent expulsion from that and other divisions. <sup>2</sup>This rule does not apply to *jaap\_stam*, *robertogmor* and *the.god.emperor* and their secondary accounts.
- (12) Complicity, aiding and abetting, incitement and attempt are punished equivalently.

### §13 Holder

- (1) The term holder corresponds to the term part-owner according to §3 paragraph 1 TOO.
- (2) Any resolutions of the Holders shall require a qualified majority unless the Terms of Ownership conflict therewith.
- (3) At the direction of the Holders, an Admins' Council may be convened at which the Admins and Moderators who are not Holders shall each be given one vote and shall take the decision for the Holders' Meeting.

### §14 Chairmanship

- (1) The chairmanship of the Executive Board pursuant to §8 paragraph 2 TOO shall be held by the General Secretary.
- (2) It is permanently occupied by *jaap\_stam*.
- (3) Should he resign from the board, he has to choose his successor or the new chairman of the board is elected by the board by a simple minority vote.

---

<sup>3</sup>The first penalty after a timeout, respectively the total first penalty.

## **§15 Departments**

- (1) The following divisions according to §9 TOO exist on the server:
  1. Department of Organization
  2. Ministry of Justice
  3. Ministry of Defense
  4. Ministry of War
  5. KGB
  6. Ministry of Foreign Affairs
  7. Ministry of Mining and Ore Gathering
  8. Ministry of Agriculture and Food Gathering
  9. Ministry of Adventuring and Loot Gathering
  10. Ministry of Infrastructure and Building
  11. Ministry of Trading and Villagers
  12. Ministry of Finances
  13. Ministry of Technology
  14. Diplomatic guard
- (2) The chairperson of these departments shall be assigned the appropriate role.
- (3) Only persons with sufficient knowledge and skills in the respective field may be employed in the divisions.

## **§16 Department of Organization**

- (1) The Department of Organization is responsible for properly organizing the server.
- (2) This includes role assignment and role management.
- (3) The chairmanship of the Department of Organization shall be held by the Head of the Department of Organization (HDO).

## **§17 Ministry of Justice**

- (1) The remit of the Ministry of Justice shall include:
  - (1) Legal questions concerning the server constitution
  - (2) Requests for legal assistance
  - (3) challenges to server court and other rulings
  - (4) Constitutional complaints
  - (5) Proposed legislation



- (6) Handling of violations of server policies
  - (7) dealing with breaches of the Terms of Ownership
  - (8) Examination of moderation judgements
- (2) Proposals for legislation that speak of amending or abolishing already existing legislation are considered constitutional complaints.
  - (3) Both statutory violations and appeals, as well as constitutional complaints, are considered sufficient grounds for a full trial.
  - (4) The chairperson of the ministry is the Minister of Justice (MoJ).
  - (5) In its judicial capacity, the Ministry of Justice is referred to as the ‘Supreme Court’.
  - (6) Members of the Supreme Court bear the official title of ‘Supreme Judge’. Outside of their judicial duties, they are referred to as ‘server lawyers’.
  - (7) The High Court is presided over by the President of the Supreme Court.
  - (8) The President at the Supreme Court shall be the MoJ.
  - (9) Unless there is sufficient new evidence, paragraph 3 does not apply.
  - (10) Judgments by the Moderation and the Supreme Court must be confirmed by the President at the Supreme Court and may therefore be dismissed.
  - (11) The dismissal of judgments must be justified and reasoned.

## **§18 Ministry of Defence**

- (1) The Ministry of Defence is responsible for protecting the PR of Swagistan.
- (2) Members of this Ministry shall be members of the Defence Forces.
- (3) The Minister of Defence (MoD) is the Chairman of the Ministry.

## **§19 Ministry of War**

- (1) The Ministry of War is responsible for executing attack plans and hunting down blacklisted individuals.
- (2) This also includes grieving or any other acts of sabotage.
- (3) The Ministry is chaired by the Minister of War (MoW).

## **§20 KGB**

- (1) Any questions regarding the Discord and Minecraft server that do not fall into the legal area are the responsibility of the KGB. If there are any uncertainties regarding the area of responsibility, you should also contact the moderation.
- (2) The KGB serves to control compliance with the server guidelines.
- (3) This implies that they are able to enforce penalties without an authorisation, but these have to be forwarded to the Ministry of Justice along with the context and have to be finally confirmed.
- (4) The board of moderation is held by the head of the KGB, who also performs administrative tasks.
- (5) Excluded from paragraph 3 are any breaches of the Terms of Ownership, as these will be dealt with by the Ministry of Justice and VIRTSTAX.
- (6) Members of the moderation will be listed as ‘KGB agent’.

## **§21 Ministry of Foreign Affairs**

- (1) The Ministry of Foreign Affairs is responsible for both inter-factional trade and diplomacy.
- (2) This includes the dispatch of diplomats.
- (3) The Minister of Foreign Affairs (MoFA) is the Chairman of the Ministry.

## **§22 Ministry of Mining and Ore Gathering**

- (1) The Ministry of Mining and Ore Gathering shall be responsible for the mining of ores and other materials typical of the subsoil.
- (2) The Chairman of this Ministry is the Minister of Mining and Ore Gathering (MoMOG).

## **§23 Ministry of Agriculture and Food Procurement**

- (1) The Ministry of Agriculture and Food Procurement is responsible for growing and organising food.
- (2) The Ministry is chaired by the Minister of Agriculture and Food Procurement (MoAFG).

## **§24 Ministry of Exploration and Loot Procurement**

- (1) The Ministry of Exploration and Loot Acquisition is responsible for the exploration of areas.
- (2) This includes the search for structures and its looting.
- (3) The chairman of this ministry is the Minister of Exploration and Loot Procurement (MoALG).

## **§25 Ministry of Infrastructure and Construction**

- (1) The Ministry of Infrastructure and Construction is responsible for the construction of buildings.
- (2) The Minister of Infrastructure and Construction (MoIB) is the Chairman of the Ministry.

## **§26 Ministry of Commerce and Villagers**

- (1) The Ministry of Trade and Villagers shall be responsible for the stocks of and trade with villagers.
- (2) The Chairman of this Ministry is the Minister of Trade and Villagers (MoTV).

## **§27 Ministry of Finances**

- (1) The Ministry of Finances is responsible for keeping track of the server finances.
- (2) This also involves the management of the company's shares.
- (3) The Minister of Finances (MoF) is the stock transaction trustee according to §7 TOO.

## **§28 Ministry of Technology**

- (1) The Ministry of Technology serves to maintain all servers and services under rule of the PR Swagistan.
- (2) This also includes the realisation of new functionalities on these.
- (3) It is chaired by the Minister of Technology (MoT).
- (4) Members of this department are called 'technicians'.

## **§29 Diplomatic Guard**

- (1) The Diplomatic Guard serves to escort diplomatic envoys.
- (2) It reports directly to the Ministry of Foreign Affairs.

### **III Minecraft-Server**

#### **§30 Application**

The acts of this section shall only apply when the PR Swagistan holds any server.

#### **§31 Guarantee**

- (1) Only persons for whom someone can be proved to be a guarantor may be placed on the whitelist.
- (2) If a person commits a violation of particular severity, he/she will be banned from the server along with the guarantor.
- (3) If a guarantor is banned from the server, this is done equally to those for whom the guarantor stands surety.
- (4) Guarantees cannot be withdrawn afterwards.
- (5) The administration is exempted from paragraph 2f.

#### **§32 Legal separation**

- (1) The server right shall be clearly distinguished from the internal right situation on the offshoots of The God Complex Server.
- (2) Internal law refers to constitutions and rules, such as faction-owned legal texts, that are not recognised by the proprietorship in its function as a proprietary assembly.
- (3) The inspection and use of server data and other information accessible only to the administration, such as player data or logs, which are superior to internal regulations, may not be used as evidence for trials and the like which are not carried out by the Supreme Server Court in its function<sup>4</sup>.

#### **§33 Basic rules**

- (1) The Minecraft server right is subject to the Discord server right.
- (2) It is forbidden to resort to methods that give an advantage over other players, regardless of whether they use the method or not, that are not generally recognised as fair.
- (3) Any behaviour not affected by such methods is not punishable.
- (4) On the Minecraft server, one must behave according to the respective Discord server rules.

---

<sup>4</sup>For example, in-game murders may not be proven via logs

- (5) The general server law does not differentiate between factions, which is why this is merely an internal organisation that is not covered by any server-wide laws and thus crimes against them in detail cannot be subject to server-wide judgements.
- (6) 3 only applies if the offences are not against the rules of the Discord server or para 1f.

### **§34 Factions**

- (1) A faction is any grouping with more than one player.
- (2) The term player is not synonymous with the term Minecraft account and therefore does not warrant creation if the other account is a secondary account of the person.
- (3) Factions have the right to their own category in which they can create any channels upon request.
- (4) The moderation may reject such requests unless they can establish a justifiable reason for setting them up.
- (5) Due to the activity and tasks of the moderation, the moderation is entitled to look into the channels at any time in order to be able to identify violations of the applicable law.
- (6) Each parliamentary group is granted its own role, the purpose of which is to ensure that these channels cannot be viewed by members of other parliamentary groups.

### **§35 Specific server law**

- (1) It is forbidden to destroy places that are a place of knowledge.
- (2) Paragraph 1 may only be broken if a faction exploits this rule to gain an advantage.
- (3) Each faction must claim a territory when it is established.
- (4) This territory must consist of an above-ground biome and may not initially extend beyond its boundaries.
- (5) Only materials originating from this territory or acquired from others may be used.
- (6) One may extend one's territory to a neighbouring biome with each extension announced server-wide by the administration according to par. 3ff.
- (7) Different variants of a biome are not considered to be its own biome.